

IN THE UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF NORTH CAROLINA  
EASTERN DIVISION  
NO. 4:18-CV-32-BR

HENRY WILLIAMS, II,  
Plaintiff,

v.

PITT COUNTY BOARD OF EDUCATION  
and PITT COUNTY SCHOOLS,  
Defendants.

ORDER

This matter is before the court on the 5 December 2018 memorandum and recommendation (“M&R”) of U.S. Magistrate Judge Robert B. Jones, Jr. (DE # 22.) Plaintiff has not filed an objection to the M&R. The court adopts the M&R as its own, and for the reasons stated therein, defendants’ motion to dismiss (DE # 7) is ALLOWED; plaintiff’s retaliation<sup>1</sup> and hostile work environment claims are DISMISSED WITHOUT PREJUDICE; and plaintiff’s discrimination claims are DISMISSED WITH PREJUDICE. The Clerk is DIRECTED to enter judgment and close this case.

This 8 January 2019.



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W. Earl Britt  
Senior U.S. District Judge

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<sup>1</sup> Judge Jones recommends that plaintiff’s retaliation claim be dismissed *with* prejudice. However, because the court dismisses that claim for lack of subject matter jurisdiction, the court dismisses it *without* prejudice. See S. Walk at Broadlands Homeowner’s Ass’n, Inc. v. OpenBand at Broadlands, LLC, 713 F.3d 175, 185 (4th Cir. 2013).